

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2014

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 8, 2014, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Nicole Cottle, Acting City Manager
Carel Hicks, Acting City Recorder

STAFF PRESENT:

Eric Bunderson, City Attorney
Jim Welch, Finance Director
Layne Morris, CPD Director
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Lee Russo, Police Chief
Sam Johnson, Strategic Communications Director
Bob Fitzgerald, Acting Fire Chief
Jake Arslanian, Public Works Department
Kevin Conde', Administration

16545 **OPENING CEREMONY**

Upon invitation by Ron Bigelow, the Reverend Mark Seddon, Vicar of Saint Stephens Episcopal Church, shared a prayer from the Book of Common Prayer, *Prayer for Sound Government*.

16546 **SPECIAL RECOGNITIONS**

Mayor Bigelow recognized the following individuals in attendance: Senate President Wayne Neiderhauser; Senator Karen Mayne; Representative Larry Wiley; Representative Tim Cosgrove; Representative Craig Hall; former Councilmember Claude Jones; former Councilmember Barbara Thomas; former Councilmember Margaret Peterson; former Councilmember Don Christensen; and former Representative and former Councilmember Janice Fisher.

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16547 **APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 25, 2014**

The Council read and considered Minutes of the Regular Meeting held March 25, 2014. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held March 25, 2014, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16548 **PROCLAMATION HONORING JANICE FISHER FOR DECADES OF SERVICE TO WEST VALLEY CITY**

Mayor Bigelow read a Proclamation honoring Janice Fisher for her many years of service to West Valley City. Ms. Fisher was presented with a gift and addressed the City Council.

Ms. Fisher addressed the City Council and expressed appreciation for the recognition of service to the City and acknowledged family members in attendance.

On behalf of the City Council, Councilmember Rushton expressed appreciation to Janice Fisher and her husband, Barry Fisher, for their long-time service to West Valley City.

16549 **PROCLAMATION HONORING A.A. CALLISTER CORP WITH THE CITY'S INAUGURAL BUSINESS LEGACY AWARD**

Mayor Bigelow read a Proclamation honoring A.A. Callister Corp with the City's Inaugural Business Legacy Award.

Mary Ann Callister Day addressed the City Council and introduced her brother Ned (Edward) Callister, and Bonnie Blaine, the main store manager for 17 years. She also introduced several store employees in attendance. Ms. Day expressed gratitude to all the employees, and to West Valley City.

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Ned Callister addressed the City Council and explained his grandfather purchased the farm when Redwood Road was a dirt road. He indicated his grandfather's friends told him he was crazy for building so far out from Salt Lake City, as development would not ever take place that far out. He stated family roots went far back and the employees made the store what it was today. He advised the store had been there for 62 years. He thanked the City Council for the recognition.

16550

COMMENT PERIOD

Upon inquiry by Mayor Bigelow, the following individuals addressed the City Council during the comment period:

A. PUBLIC COMMENTS

Lora Owens addressed the City Council and stated she owned a four-plex on Carnegie Street. She expressed concern about graffiti and trash in the area and lack of response from the City.

B. CITY MANAGER COMMENTS

Acting City Manager, Nicole Cottle, stated she would direct the Community Preservation Director, Layne Morris, to meet with Ms. Owens immediately after the meeting.

16551

ORDINANCE NO. 14-21, AMEND SECTION 16-6-103 OF TITLE 16 OF THE WEST VALLEY CITY MUNICIPAL CODE TO INCORPORATE AN AMENDMENT TO THE INTERNATIONAL FIRE CODE ADOPTED BY THE STATE OF UTAH

Acting City Manager, Nicole Cottle, presented proposed Ordinance No. 14-21 that would amend Section 16-6-103 of Title 16 of the West Valley City Municipal Code to incorporate an amendment to the International Fire Code adopted by the State of Utah.

Ms. Cottle stated the proposal would adopt an amendment to the International Fire Code to require all residential care facilities in the City, including home day care businesses, to be required to install a carbon monoxide detector alarm on every habitable floor of the home. She advised this action was necessary to reduce carbon monoxide related injuries and deaths within a home, and specifically for home day care facilities that did not have carbon monoxide (CO) detectors. She indicated currently carbon monoxide detectors were not required as part of a safety inspection of home day care facilities.

After discussion, Councilmember Vincent moved to approve Ordinance No. 14-21, an Ordinance Amending Section 16-6-103 of Title 16 of the West Valley City

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Municipal Code to Incorporate an Amendment to the International Fire Code Adopted by the State of Utah. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16552

RESOLUTION NO. 14-49, APPROVE AN AGREEMENT WITH SPS ASSETS CORPORATION, INC., TO PROVIDE FOR RECIPROCAL PARKING ARRANGEMENTS AT THE MAVERIK CENTER

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-49 that would approve an Agreement with SPS Assets Corporation, Inc. to provide for reciprocal parking arrangements at the Maverik Center.

Ms. Cottle stated the proposed agreement would allow SPS to use the Maverik Center Parking Lot D for employee parking. She indicated SPS was a division of Credit Suisse, and had an option to purchase the 14-acre Carmike Theater property located at 3231 S. Decker Lake Drive. She advised SPS handled distressed mortgages and other financial transactions for major banks and financial institutions. She stated they currently had 1,200 employees at their location in South Salt Lake and needed room to expand to 2,000 employees in the near future. The existing 1,087 parking spaces on the Carmike site were insufficient for the expanded employee numbers and in order for SPS to commit to this site; they needed assurance that sufficient parking would be available. She reported the proposed agreement would allow SPS employees to use Maverik Center Lot D parking spaces in return for maintaining this parking area.

The Acting City Manager further discussed SPS plans to purchase and remodel the Carmike building into a 2,000 employee office complex. She advised the Maverik Center Parking Lot D was seldom used for event parking and provided the additional 800 parking spaces needed by SPS. She explained if a need arose for additional Maverik Center event parking, advanced notice would be given to SPS and Parking Lot D would be made available for event parking at that particular time.

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After discussion, Councilmember Huynh moved to approve Resolution No. 14-49, a Resolution Authorizing the City to enter into an Agreement with SPS Assets Corporation, Inc. to Provide for Reciprocal Parking Arrangements at the Maverik Center. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16553

RESOLUTION NO. 14-50, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY, SANDY CITY, SOUTH JORDAN CITY, WEST JORDAN CITY, AND TAYLORSVILLE CITY, RELATING TO THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2015 THROUGH 2017

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-50 that would approve an Interlocal Cooperation Agreement with Salt Lake County, Sandy City, South Jordan City, West Jordan City, and Taylorsville City, relating to the HOME Investment Partnership Program for federal fiscal years 2015 through 2017.

Ms. Cottle stated West Valley City was part of a countywide consortium of cities that received Housing and Urban Development (HUD) HOME Investment Partnerships (HOME) funds through Salt Lake County on a reimbursement basis. She indicated in order to receive this reimbursement the City must have an interlocal agreement in place with the County. She advised the agreement would be effective from October 1, 2014 until September 30, 2017.

She further explained by itself, West Valley City did not qualify for Federal HOME program funds through HUD. As part of a larger consortium of cities, however, the City had succeeded in qualifying for the funds with Salt Lake County being the receiving agency. She indicated that after being notified of the HOME award each year, the City then applied to the County for reimbursement of eligible expenses and the proposed agreement detailed the relationship between the two agencies. She reported the Interlocal agreement had been renewed every three years in the past.

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After discussion, Councilmember Rushton moved to approve Resolution No. 14-50, a Resolution Approving and Authorizing the Execution of an Interlocal Cooperation Agreement with Salt Lake County, Sandy City, South Jordan City, West Jordan City, and Taylorsville City Relating to the HOME Investment Partnership Program for Federal Fiscal Years 2015 through 2017. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16554

RESOLUTION NO. 14-51, AWARD A CONTRACT TO KILGORE COMPANIES FOR THE 6400 WEST ROADWAY EXTENSION PROJECT (PARKWAY BOULEVARD TO SR-201 FRONTAGE ROAD)

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-51 that would award a contract to Kilgore Companies, in the amount of \$2,835,237.27 with possible increase of up to \$2,977,000.00 after change orders, for the 6400 West Roadway Extension Project (Parkway Boulevard to SR-201 Frontage Road).

Ms. Cottle stated bids had been solicited and six bids received as outlined on the Bid Tabulation Summary, and as follows:

Kilgore Companies	\$2,835,237.27
Dry Creek Structures	\$2,895,164.35
ACME Construction	\$2,957,636.05
Granite Construction	\$2,977,996.30
Staker Parson Companies	\$3,052,500.00
Geneva Rock	\$3,199,627.20

The Acting City Manager reported the Engineer's estimate was in the amount of \$3,414,770.40, and the lowest responsible bid had been submitted by Kilgore Companies.

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She indicated the project would extend 6400 West north from the current terminus at Parkway Boulevard to a new road (approximately 2550 South) to be constructed parallel to the Riter Canal. She stated 2550 South would continue westward to 6750 West to a section of roadway to connect to the south frontage road of SR-201. She advised 2550 South was a segment of road that would extend from 7200 West to an intersection with 5600 West at 2400 South.

Ms. Cottle indicated most of the project funds came from HB173 of the 2012 legislative session that funded \$3,000,000 for construction of 6400 West from Parkway Boulevard to the SR-201 Frontage Road. She stated HB173 monies were used to fund the design and right-of-way acquisition for the project. She also advised HB377 from the 2013 legislative session funded \$4,000,000 for construction of 2400 South from 4800 West to 7200 West. In addition, funding from HB377 was being used to pay for a nearly one-half mile segment of the 2400 South connection.

After discussion, Councilmember Lang moved to approve Resolution No. 14-51, a Resolution Awarding a Contract to Kilgore Companies for the 6400 West Roadway Extension Project (Parkway Boulevard to SR-201 Frontage Road). Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16555

RESOLUTION NO. 14-52, AWARD A CONTRACT TO JORDAN VALLEY CONSTRUCTION FOR THE 4000 WEST STORM DRAIN REPLACEMENT PROJECT (3500 SOUTH TO 4100 SOUTH)

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-52 that would award a contract to Jordan Valley Construction, in the amount of \$673,125.00, for the 4000 West Storm Drain Replacement Project (3500 South to 4100 South).

Ms. Cottle stated bids had been solicited and five bids received as outlined on the Bid Tabulation Summary, and as follows:

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Newman Construction	Bid withdrawn (\$471,923.10)
Jordan Valley Construction	\$673,125.00
Vancon	\$674,640.00
Noland & Sons	\$677,056.00
Lyndon Jones	\$684,802.00

She reported the Engineer's estimate had been in the amount of \$428,155.20.

The Acting City Manager stated the apparent low bidder had been Newman Construction in the amount of \$471,923.10; but shortly after bid opening, Newman submitted a written request to withdraw their bid having satisfactorily demonstrated a substantial mistake in preparation of the bid. She reported after withdrawal of the bid by Newman Construction, it was determined the lowest responsible bid was Jordan Valley Construction in the amount of \$673,125.00.

Ms. Cottle advised the storm drain on 4000 West between 3500 South and 4100 South was a 30-inch and 36-inch inch corrugated metal pipe that had been installed many years ago and since deteriorated substantially over time. In order to minimize impact on the residents, certain segments of the storm drain were currently being rehabilitated under a separate contract. The remaining lengths of pipe that had deteriorated to a point beyond rehabilitation would be excavated and replaced as part of the contract. She reported the project included reconstruction of a diversion box and pedestrian ramps at Volta Avenue, various pipe replacements, and the placement of a four-foot by two-foot concrete box culvert across 3500 South Street.

After discussion, Councilmember Nordfelt moved to approve Resolution No. 14-52, a Resolution Awarding a Contract to Jordan Valley Construction for the 4000 West Storm Drain Replacement Project (3500 South to 4100 South). Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

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16556

RESOLUTION NO. 14-53, AUTHORIZE THE CITY TO PURCHASE INTELLIGENCE SOFTWARE FROM THE OMEGA GROUP FOR USE BY THE POLICE DEPARTMENT

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-53 that would authorize the City to purchase intelligence software from the Omega Group, in an amount not to exceed \$41,525.00, for use by the Police Department.

Ms. Cottle stated crime analysis processes were essential for police agencies to successfully integrate effective data-driven, evidence-based practices and management strategies. She advised the Police Department had identified a need to upgrade and modernize its ability to analyze, assess and effectively respond to data collected through crime reporting and other intelligence related activities. She indicated to improve efficiency and effectiveness of the Department's capabilities in rapidly identifying, tracking, and intervening upon emerging crime trends, patterns, and/or persistent hotspots, predictive analysis and mapping technologies were required.

She advised the Police Department currently developed its intelligence information regarding crime trends, patterns, and hotspots through a myriad of sources and human systems. This tactic was time intensive, often yielded inconsistent results, and made tracking of responses and results difficult. She advised further in order to address the need to achieve timely, accurate and actionable information regarding crime occurring in the City, research into computer software applications and platforms capable of meeting the current and future demands of a full service and comprehensive law enforcement agency and growing City had been completed. From results of this research, a request for proposal had been drafted and subsequently published with several vendors having expressed interest. She advised only one vendor ultimately had submitted a bid within the established guidelines and, after critical review of that sole bidder, it had been determined Omega Group submitted the best and most reasonable bid in the amount of \$41,525.00.

After discussion, Councilmember Buhler moved to approve Resolution No. 14-53, a Resolution Authorizing the City to Purchase Intelligence Software from the Omega Group for use by the Police Department. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes

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Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16557 **RESOLUTION NO. 14-54, RATIFY THE CITY MANAGER'S APPOINTMENT OF KENT BUCKNER TO THE WEST VALLEY CITY HISTORICAL SOCIETY, TERM: APRIL 8, 2014 – DECEMBER 31, 2014**

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-54 that would ratify the City Manager's appointment of Kent Buckner to the West Valley City Historical Society for the term April 8, 2014 through December 31, 2014.

Ms. Cottle stated Mr. Buckner had expressed willingness to serve as a member of the Historical Society and would fill a vacant position on the Board through the end of the calendar year.

After discussion, Councilmember Vincent moved to approve Resolution No. 14-54, a Resolution Ratifying the City Manager's Appointment of Kent Buckner as a Member of the West Valley City Historical Society for a Term Commencing April 8, 2014, and Ending December 31, 2014. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16558 **CONSENT AGENDA:**

A. **RESOLUTION NO. 14-55, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO QUESTAR GAS COMPANY TO PROVIDE SERVICE TO A UTOPIA HUT SITE ON CITY PROPERTY AT 4109 SOUTH HOLDER DRIVE**

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-55 that would authorize the City to Grant an easement to Questar Gas Company to provide service to a UTOPIA hut site on City property at 4109 South Holder Drive.

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Ms. Cottle stated a right-of-way easement would be required in order for Questar Gas Company to provide service to a UTOPIA hut site. She indicated the proposed easement would run within the existing utility easement for a UTOPIA hut site at the above-described location. She also advised the alignment of the proposed easement was shown on an exhibit previously distributed to the City Council.

B. RESOLUTION NO. 14-56, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO QUESTAR GAS COMPANY TO PROVIDE SERVICE TO A UTOPIA HUT SITE ON CITY PROPERTY AT 2990 SOUTH 5990 WEST

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-56 that would authorize the City to grant an easement to Questar Gas Company to provide service at a UTOPIA hut site on City property at 2990 South 5990 West.

Ms. Cottle stated a right-of-way easement would be required in order for Questar Gas Company to provide service to a UTOPIA hut site. She indicated the proposed easement would run within the existing utility easement for a UTOPIA hut site at the above-described location. She also advised the alignment of the proposed easement was shown on an exhibit previously distributed to the City Council.

C. RESOLUTION NO. 14-57, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO QUESTAR GAS COMPANY TO PROVIDE SERVICE AT A UTOPIA HUT SITE ON CITY PROPERTY AT 4155 WEST 3980 SOUTH

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-57 that would authorize the City to grant an easement to Questar Gas Company to provide service at a UTOPIA hut site on City property at 4155 West 3980 South.

Ms. Cottle stated a right-of-way easement would be required in order for Questar Gas Company to provide service to a UTOPIA hut site. She indicated the proposed easement would run within the existing utility easement for a UTOPIA hut site at the above-described location. She also advised the alignment of the proposed easement was shown on an exhibit previously distributed to the City Council.

D. RESOLUTION NO. 14-58, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO QUESTAR GAS COMPANY TO PROVIDE SERVICE AT A UTOPIA HUT SITE ON CITY PROPERTY AT 4314 WEST 4100 SOUTH

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Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-58 that would authorize the City to grant an easement to Questar Gas company to provide service at a UTOPIA hut site on City property at 4314 West 4100 South.

Ms. Cottle stated a right-of-way easement would be required in order for Questar Gas Company to provide service to a UTOPIA hut site. She indicated the proposed easement would run within the existing utility easement for a UTOPIA hut site at the above-described location. She also advised the alignment of the proposed easement was shown on an exhibit previously distributed to the City Council.

E. RESOLUTION NO. 14-59, AUTHORIZE THE CITY TO GRANT AN EASEMENT TO QUESTAR GAS COMPANY TO PROVIDE SERVICE TO A UTOPIA HUT SITE ON CITY PROPERTY AT 4087 SOUTH 3670 WEST

Acting City Manager, Nicole Cottle, presented proposed Resolution No. 14-59 that would authorize the City to grant an easement to Questar Gas Company to provide service at a UTOPIA hut site on City property at 4087 South 3670 West.

Ms. Cottle stated a right-of-way easement would be required in order for Questar Gas Company to provide service to a UTOPIA hut site. She indicated the proposed easement would run within the existing utility easement for a UTOPIA hut site at the above-described location. She also advised the alignment of the proposed easement was shown on an exhibit previously distributed to the City Council.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 14-55, 14-56, 14-57, 14-58 and 1459 as presented on the Consent Agenda. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, APRIL 8, 2014, WAS ADJOURNED AT 7:15 P.M., BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, April 8, 2014.

Carel Hicks, MMC
Acting City Recorder